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Mayor

# CITY OF NEWTON, MASSACHUSETTS

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## ZONING BOARD OF APPEALS

Sherri Boivin, Board Secretary

### NOTICE OF DECISION

**A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:**

- #1-05** from Todd A. Brisky and Cynthia J. Addison, 35 Madison Avenue, Newton, requesting a .07 variance from the Floor Area Ratio requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One for a newly constructed two story addition, resulting in a Floor Area Ratio of .47. **(Maximum Floor Area Ratio for old lots created prior to December 7, 1953 is .4.)** The property is located in a Multi Residence 1 District. **The petitioners' request for a variance was granted, subject to conditions, 5-0.**
- #2-05** from Stacy M. Debroff and Ronald D. Remy, 440 Beacon Street, Newton, requesting a 3.0 foot variance from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One to legalize the house, resulting in a side yard setback of 17.0 feet. Petitioners also request a 3.0 foot variance to construct a second floor addition over that portion of the house which extends into the side yard setback. **(Required side yard setback for new lots created after December 7, 1953 is 20 feet.)** The property is located in a Single Residence 1 District. **The petitioners' request for a variance from the side yard setback to legalize the house was granted, subject to conditions, 5-0. The petitioners' request for a variance from the side yard setback for a second floor addition was denied, 3-2.**
- #3-05** from Heni Koenigsberg, 204 Highland Avenue, Newton, requesting a 4.3 foot variance from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One to construct a pool, resulting in a side yard setback of 15.7 feet. **(Required side yard setback for new lots created after December 7, 1953 is 20 feet.)** The petitioner also requests an 8.1 foot variance from the rear yard setback requirements, resulting in a rear yard setback of 16.9 feet. **(Required rear yard setback for new lots created after December 7, 1953 is 25 feet.)** The property is located in a Single Residence 1 District. **The petitioners' request for a variance was granted, subject to conditions, 5-0.**
- #4-05** from Citizens for Affordable Housing in Newton Development Organization, Inc., d/b/a "CAN-DO", 1075 Washington Street, West Newton, requesting a comprehensive permit under Massachusetts General Laws Chapter 40B, secs. 21-23, for properties located at 1093 and 1101 Chestnut Street, Newton. Petitioner proposes to create a six-unit condominium development with two freestanding single-family houses fronting on the

street, and two freestanding buildings to the rear, each containing two dwelling units. Three of the six dwelling units will be affordable units. The property is located in a Multi Residence 1 District. **The petitioners' request for a comprehensive permit was granted, subject to conditions, 5-0.**

**Any appeal of the above decisions must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A, or to the Housing Appeals Committee with twenty (20) days of its filing with the City Clerk in accordance with Section 22 of Massachusetts General Law, Chapter 40B.**

**Decision number 4-05 was filed on April 26, 2005 and decision numbers 1-05, 2-05 and 3-05 were filed on April 28, 2005.**